

**REMARKS**

Claims 1-12 and 14-15 are pending in this application. By this Amendment, claims 1, 4, 9-10 and 12 are amended and claim 13 is canceled without prejudice to or disclaimer of the subject matter disclosed therein. Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action objects to claims 10 and 13 because of informalities. The cancellation of claim 13 renders its rejection moot. Furthermore, claim 10 is amended to overcome the informality. Thus, withdrawal of the objection to the claims is respectfully requested.

The Office Action rejects claims 1 and 9-13 under 35 U.S.C. §102(b) over Nakazato et al. (U.S. Patent No. 6,094,546); claims 2 and 14 under 35 U.S.C. §103(a) over Nakazato in view of Yoshida et al. (U.S. Patent No. 6,636,327); claims 3 and 15 under 35 U.S.C. §103(a) over Nakazato in view of Yamanaka (U.S. Patent No. 6,268,925); claims 4-5 under 35 U.S.C. §103(a) over Nakazato in view of Gringeri et al. (U.S. Patent No. 6,233,226); claim 6 under 35 U.S.C. §103(a) over Nakazato and Gringeri and further in view of Yoshida; and claim 8 under 35 U.S.C. §103(a) over Nakazato and Gringeri in view of Yamanaka. The rejections are respectfully traversed.

In particular, none of the applied references, alone or in combination, disclose or suggest a printing system that includes a printing portion, a controlling portion and a receiving portion for receiving data based on communication control information, wherein the communication control information includes at least one of a storing amount of storing portion for storing the received data, the maximum data payload received from outside the printing system, and a reply rate of the ACK response and the NAK response to the outside of the printing system, as recited in independent claim 1 and similarly recited in independent claims 4 and 9.

Nakazato teaches a printing system with a printing data generation time calculating section that calculates the time required for generating printing data on the side of the host computer (Abstract). Moreover, the Office Action indicates that Nakazato teaches a predicted warm-up time, as indicated in Fig. 5C, and the Office Action asserts that this predictive warm-up time corresponds to a predictive time required for returning from the power saving mode to the normal mode. However, Nakazato does not disclose or suggest that the communication control information includes at least one of a storing amount of the storing portion for storing the received data, the maximum data payload received from the external of the printing system, and a reply rate of the ACK response and the NAK response to the external of the printing system, as recited in independent claims 1, 4 and 9.

In fact, the Office Action is silent with respect to the above listed features. Furthermore, nowhere in Nakazato is there a teaching of the communication control information including these features. Nakazato teaches in Fig. 2 and step S7 that the only communication control information that is communicated to the printer is via the interface section 1 in Fig. 1 and the bi-directional interface 7 and mainly consists in a warm-up command outputted by the warm-up command outputting section 15, a data generating time outputted by the printing data generating time calculating section 13 and a warm-up time

outputted by the printer warm-up time calculating section 16. Thus, Nakazato does not disclose or suggest that the communication control information includes at least one of the features claimed in independent claims 1, 4 and 9. Thus, Nakazato fails to disclose, suggest or render obvious the features of independent claims 1, 4 and 9.

Gringeri teaches a system and method for analyzing and transmitting video over a switched network (Abstract).

Yoshida teaches an image processing apparatus that is controlled in accordance with the status of an interface and the contents of data (Abstract).

Yamanaka teaches a printing system where an environment set section of a printer driver is called at a predetermined timing to obtain information on an output port while a printing operation is executed (Abstract).

However, none of these references cure deficiencies in Nakazato in disclosing, suggesting or rendering obvious the above discussed features of independent claims 1, 4 and 9. Thus, independent claims 1, 4 and 9, and their dependent claims, are patentable over a combination of the applied references. Accordingly, withdrawal of the rejections of the claims under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 and 14-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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